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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,964	11/24/2003	Roger S. Kerr	82473ANAB	5210

7590 08/25/2005

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EXAMINER

HAWKINS, CHERYL N

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,964

Applicant(s)

KERR ET AL.

Examiner

Cheryl N. Hawkins

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8,10-12,14-19,21 and 22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8,10-12,14-19,21 and 22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 10, 12, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen et al. (US 6,022,440) in view of Thomas et al. (US 4,456,570). As to Claim 1, Nordeen et al. discloses a method for laminating a pre-press proof comprising creating a coated sheet of plastic material; laminating a pre-laminate sheet of material consisting of a first thermoplastic layer and a first support layer to the coated sheet of plastic material; removing the first support layer forming a pre-laminated receiver stock; creating an imaged receiver sheet with a second support layer; laminating the imaged receiver sheet with a pre-laminated receiver stock; and removing the second support layer forming a pre-press proof (column 10, lines 31-58; column 6, lines 41-43 and 60-63; column 7, lines 7-9 and 13-19 and 28-32; column 3, lines 3-4). Nordeen et al. does not disclose plasma etching the sheet of plastic material. It is well known and conventional in the adhesive bonding art, as disclosed by Thomas et al. (column 1, lines 28-35), to plasma etch the bonding surface of a polymeric sheet to increase the adherence of the polymeric sheet to other substrates. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Nordeen et al. to include plasma etching the

Art Unit: 1734

sheet of plastic material as suggested by Thomas et al. to increase the adherence of the plastic sheet to the other sheet materials thereby resulting in a securely bonded laminate.

As to Claims 10 and 21, Nordeen et al. discloses a method wherein the image is an inkjet generated image (column 3, lines 1-2).

As to Claim 12, Nordeen et al. discloses a method for laminating a pre-press proof comprising coating sheet of plastic material; creating an imaged receiver sheet with a support layer; laminating the coated sheet of plastic material to the imaged receiver sheet; and removing the support layer forming a pre-press proof (column 10, lines 2-20). Nordeen et al. does not disclose plasma etching the sheet of plastic material. It is well known and conventional in the adhesive bonding art, as disclosed by Thomas et al. (column 1, lines 28-35), to plasma etch the bonding surface of a polymeric sheet to increase the adherence of the polymeric sheet to other substrates. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Nordeen et al. to include plasma etching the sheet of plastic material as suggested by Thomas et al. to increase the adherence of the plastic sheet to the other sheet materials thereby resulting in a securely bonded laminate.

3. Claims 2, 3, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen et al. (US 6,022,44) and Thomas et al. (US 4,456,570) as applied to claim 1 or 12 above, and further in view of Sasaki (US 4,786,537). As to Claims 2, 3, and 14, the references as combined (see Nordeen et al.) disclose a method wherein the removable first and second support layers are coated paper substrates (column 3, lines 25-26), but the references as combined are silent as to a method wherein the first and second support layers are comprised of a support base

Art Unit: 1734

and a release layer. It is well known and conventional in the transfer art, as disclosed by Sasaki (column 2, lines 60-63), to provide a support layer with a structure comprised of a support base and a release layer, i.e. a paper support base having a silicone release layer. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the coated paper disclosed by the references as combined with a structure comprised of a support base, i.e. a paper substrate, and a release layer, i.e. a silicone layer, as suggested by Sasaki; the utilization of a removable support layer having a support base and a release layer being well established in the art.

4. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen et al. (US 6,022,440) and Thomas et al. (US 4,456,570) as applied to claim 1 or 12 above; and further in view of Sasaki (US 4,786,537) and Kolobow (US 4,093,515). As to Claims 4 and 15, the references as combined (see Nordeen et al.) disclose a method wherein the removable support layer is a coated paper substrate (column 3, lines 25-26), but the references as combined are silent as to a method wherein the support layer is comprised of a support base and a release layer. It is well known and conventional in the transfer art, as disclosed by Sasaki (column 2, lines 60-63), to provide a support layer with a structure comprised of a support base and a release layer, i.e. a paper support base having a silicone release layer. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the coated paper disclosed by the references as combined with a structure comprised of a support base, i.e. a paper substrate, and a release layer, i.e. a silicone layer as suggested by Sasaki; the utilization of a removable support layer having a support base and a release layer being well established in the art.

Art Unit: 1734

As to Claims 4 and 15, the references as combined do not disclose a method wherein the support layer includes an aluminized layer. It is well known and conventional in the laminating art, as disclosed by Kolobow (column 5, lines 27-34), to provide a removable support layer with an aluminized layer to promote the releasability of the support layer. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the support layer of the references as combined to include an aluminized layer as suggested by Kolobow to promote the releasability of the support layer.

5. Claims 5, 6, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen et al. (US 6,022,440) and Thomas et al. (US 4,456,570) as applied to claim 1 or 12 above, and further in view of Pilu (US 6,460,993). As to Claims 5, 6, 16, and 17, the references as combined (see Nordeen et al.) disclose a pre-press proof formed by the method recited in Claims 1 and 12, but does not disclose a pre-press proof with a resolution of between 1000 dpi and 4000 dpi or a resolution of between 1800 dpi and 3000 dpi. Pilu discloses that it is not uncommon for individual users to possess ink jet printers which have a resolution of perhaps up to 2400 dpi and that high resolution printing results in printed items which are more convincing (column 3, lines 44-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the pre-press proof of the references as combined with a resolution of between 1800 dpi and 3000 dpi, i.e. 2400 dpi, as suggested by Pilu to yield a convincing image with excellent clarity.

Art Unit: 1734

6. Claims 7, 8, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen et al. (US 6,022,440) and Thomas et al. (US 4,456,570) as applied to claim 1 or 12 above, and further in view of Yamaguchi (US 6,435,640). As to Claims 7, 8, 18, and 19, the references as combined (see Nordeen et al.) disclose providing the imaged receiver sheet with an inkjet generated image (column 3, lines 1-2), but the references as combined are silent as to the imaged receiver sheet comprising either a monochrome or a multi-colored image. It is well known and conventional in the printing art, as disclosed by Yamaguchi (column 3, lines 40-42), to provide ink jet printed images in either monochrome or multicolor to create customized images. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the inkjet generated image of the references as combined as either a monochrome or multi-colored image as suggested by Yamaguchi; the utilization of inkjet printing to provide both monochrome and multi-colored images being well established in the art.

7. Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen et al. (US 6,022,440) and Thomas et al. (US 4,456,570) as applied to claim 1 or 12 above, and further in view of Johnson et al. (US 6,593,390). As to Claims 11 and 22, the references as combined do not disclose a method wherein the plasma etching takes place in a printing press. It is well known in the material handling art, as disclosed by Johnson et al. (column 8, lines 40-47), to pre-treat the printing surfaces of substrates with plasma etching prior to carrying out the printing process to promote greater adhesion of the ink onto the surface of the substrate. Since plasma etching is often performed in close coordination with a printing process, it would have been obvious to one of ordinary skill in the art to modify the method of the

Art Unit: 1734

references as combined to provide the plasma etching of the sheet of plastic material in the ink jet printing device prior to the printing of the sheet of plastic material.

8. Claims 12, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brault et al. (US 5,837,375) in view of Thomas et al. (US 4,456,570). As to Claim 12, Brault et al. discloses a method for laminating a pre-press proof comprising coating a sheet of plastic material (Figures 2, 3a, and 3b; substrate 22; column 8, lines 41-46); creating an imaged receiver sheet with a support layer (Figures 1, 2, 3a, and 3b, ink receptive layer 16, ink imaged layer 18, temporary carrier layer 12; column 4, lines 17-22); laminating the coated sheet of plastic material to the imaged receiver sheet (column 8, lines 62-67); and removing the support layer (Figure 1, 2, 3a, and 3b, temporary carrier layer 12; column 9, lines 49-51) forming a pre-press proof. Nordeen et al. does not disclose plasma etching the sheet of plastic material. It is well known and conventional in the adhesive bonding art, as disclosed by Thomas et al. (column 1, lines 28-35), to plasma etch the bonding surface of a polymeric sheet to increase the adherence of the polymeric sheet to other substrates. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Nordeen et al. to include plasma etching the sheet of plastic material as suggested by Thomas et al. to increase the adherence of the plastic sheet to the other sheet materials thereby resulting in a securely bonded laminate.

As to Claim 14, Brault et al. discloses a method wherein the support layer is comprised of a support base and a release layer (column 5, lines 6-17).

As to Claim 21, Brault et al. discloses a method wherein the image (Figure 1, ink imaged layer 18) is an inkjet generated image (Figure 1, inkjet device 11).

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brault et al. (US 5,837,375) and Thomas et al. (US 4,456,570) as applied to claim 12 above, and further in view of Kolobow (US 4,093,515). As to Claim 15, the references as combined do not disclose a method wherein the support layer includes an aluminized layer. It is well known and conventional in the laminating art, as disclosed by Kolobow (column 5, lines 27-34), to provide a removable support layer with an aluminized layer to promote the releasability of the support layer. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the second support layer of the references as combined to include an aluminized layer as suggested by Kolobow to promote the releasability of the support layer.

10. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brault et al. (US 5,837,375) and Thomas et al. (US 4,456,570) as applied to claim 12 above, and further in view of Pilu (US 6,460,993). As to Claims 16 and 17, the references as combined (see Brault et al.) disclose a pre-press proof formed by the method recited in Claim 12, but does not disclose a pre-press proof with a resolution of between 1000 dpi and 4000 dpi or a resolution of between 1800 dpi and 3000 dpi. Pilu discloses that it is not uncommon for individual users to possess ink jet printers having a resolution of perhaps up to 2400 dpi and that high resolution printing results in printed items which are more convincing (column 3, lines 44-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the pre-press proof of the references as combined with a resolution of between 1800 dpi and 3000 dpi, i.e. 2400 dpi, as suggested by Pilu to yield a convincing image with excellent clarity.

11. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brault et al. (US 5,837,375) and Thomas et al. (US 4,456,570) as applied to claim 12 above, and further in view of Yamaguchi (US 6,435,640). As to Claims 18 and 19, the references as combined (see Brault et al.) disclose providing the imaged receiver sheet (Figure 1, ink receptive layer 16) with an inkjet (Figure 1, inkjet device 11) generated image (Figure 1, ink imaged layer 18), but the references as combined are silent as to method wherein the imaged receiver sheet comprising either a monochrome or a multi-colored image. It is well known and conventional in the printing art, as disclosed by Yamaguchi (column 3, lines 40-42), to provide ink jet printed images in either monochrome or multicolor to create customized images. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the inkjet generated image of the references as combined as either a monochrome or multi-colored image as suggested by Yamaguchi; the utilization of inkjet printing to provide both monochrome and multi-colored images being well established in the art.

12. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brault et al. (US 5,837,375) and Thomas et al. (US 4,456,570) as applied to claim 12 above, and further in view of Johnson et al. (US 6,593,390). As to Claim 22, the references as combined do not disclose a method wherein the plasma etching takes place in a printing press. It is well known in the material handling art, as disclosed by Johnson et al. (column 8, lines 40-47), to pre-treat the printing surfaces of substrates with plasma etching prior to carrying out the printing process to promote greater adhesion of the ink onto the surface of the substrate. Since plasma etching is

Art Unit: 1734

often performed in close coordination with a printing process, it would have been obvious to one of ordinary skill in the art to modify the method of the Kerr to provide the plasma etching of the sheet of plastic material in the ink jet printing device prior to the printing of the sheet of plastic material.

Response to Arguments

13. In response to the applicant's cancellation of Claims 9, 13 and 20 and the amendment of Claims 14 and 15, the rejections of those claims under 35 USC 112, second paragraph, have been withdrawn.

In response to the applicant's arguments that the reference of Kerr (US 6,508,5278) does not qualify as prior art, the examiner agrees and notes that the rejection has been withdrawn. However, upon further consideration, new grounds of rejection have been made in view of the newly discovered references of Nordeen et al. (US 6,022,440) and Brault et al. (US 5,837,375). Claims 1-8, 10-12, 14-19, 21, and 22 have been rejected under 35 USC 103(a) as being unpatentable over Nordeen et al. in view of various secondary references. Claims 12, 14-19, 21, and 22 have been rejected under 35 USC 103(a) as being unpatentable over Brault et al. in view of various secondary references.

Art Unit: 1734


Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl N. Hawkins whose telephone number is (571) 272-1229. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A. Fiorilla can be reached on (517) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cheryl N. Hawkins
August 19, 2005


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